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VOICE OF ENTRY REQUIRED

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

**Hearing Day and Time:**  
September 11, 2017 at 11:30 am

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In re:

Case No. 17-10555

Chapter 13

GEORGE R. FLATTERY, III,

Debtor.  
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**ORDER PURSUANT TO 11 U.S.C. § 362(d)**  
**MODIFYING THE AUTOMATIC STAY IMPOSED BY 11 U.S.C. § 362(a)**

**MOTION HAVING BEEN MADE** to this Court by U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust ("Movant"), by Notice of Motion dated August 9, 2017, for an Order: (i) modifying and terminating the automatic stay, in place pursuant to § 362(a) of the Title 11 of the United States Code, to permit Movant to exercise all of its rights and remedies with respect to certain collateral known as 1108 Orchard Park Road, West Seneca, NY 14224 (the "Property") by virtue of § 362(d)(1) of the Bankruptcy Code; (ii) granting Movant the attorney fees and costs of this motion; and (iii) granting Movant such other further and different relief as may seem just, proper and equitable; and due notice of said motion having been given to the Debtor, Debtor's attorney, US Trustee, and the Trustee; and after due deliberation having been had; it is hereby

**ORDERED**, that the Automatic Stay, as to Movant, its agents, assigns or successors in interest, is hereby terminated so that Movant, its agents, assigns or successors in interest, may take any and all action under applicable state law to exercise its remedies against the Property; and it is further

**ORDERED**, that this Order vacating the Automatic Stay shall be binding and effective if the Debtor converts this case to another chapter under the U.S. Bankruptcy Code; and it is further

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**ORDERED**, that, Movant may increase the amount of its mortgage balance by \$350.00 in reasonable attorney's fees and \$181.00 for the filing fee necessary to bring the present motion; and it is further

**ORDERED**, that the Chapter 13 Trustee shall be promptly notified of any surplus monies realized from the sale of the Collateral.

Dated: SEP 11 2017

  
HONORABLE CARL L. BUCKI

